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Attorneys for Defendants

Reynolds Consumer Products Inc.

and Reynolds Consumer Products LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

LISABETH HANSCOM, on behalf of herself
and those similarly situated,

Plaintiffs,

v.

REYNOLDS CONSUMER PRODUCTS INC.
and REYNOLDS CONSUMER PRODUCTS
LLC,

Defendants.

Case No. 4:21-cv-03434-JSW

The Honorable Jeffrey S. White

RESPONSE TO ORDER TO SHOW CAUSE

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On June 29, 2021, Reynolds filed a request for judicial notice of four exhibits in connection with its motion to dismiss Plaintiff's Class Action Complaint. ECF No. 19. Plaintiff filed a separate opposition to Reynolds's request for judicial notice (ECF No. 23), and Reynolds filed a separate reply in support of its request for judicial notice (ECF No. 28). On July 29, 2021, this Court ordered the parties to show cause why the opposition to, and reply in support of, Reynolds's request for judicial notice should not be stricken pursuant to Local Rule 7-3, which provides that "evidentiary and procedural objections" to a motion or opposition shall be set forth in a party's memorandum and not in a separate document. ECF No. 29.

This Court's standing order states that "all evidentiary objections to evidence submitted shall be contained in the parties' briefs," but carves out an "exception" for "objections to requests for judicial notice." Standing Order ¶ 6. That language appears to permit the parties to file separate briefs with respect to a request for judicial notice, as the parties did here. If the Court is nonetheless inclined to strike Plaintiff's opposition to the request for judicial notice, Reynolds has no objection to the Court disregarding its reply. But if the Court is inclined to consider Plaintiff's opposition to the request for the request for judicial notice, Reynolds respectfully requests that the Court also consider its reply brief.

DATED: August 4, 2021

JENNER & BLOCK LLP

By: /s/ Kate T. Spelman
Kate T. Spelman

Attorneys for Defendants
Reynolds Consumer Products Inc. and
Reynolds Consumer Products LLC